

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Howard Chalfin,

Plaintiff,

-against-

Taurus Technologies Electric, Inc., Stefan Magnusson,
Marta Magnusson, and Gilbert Denham Jr.,

Defendants.

ANALISA TORRES, District Judge:

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25 Civ. 917 (AT) (SLC)

ORDER OF DISMISSAL

Plaintiff *pro se*, Howard Chalfin, brings this action against Defendants, Taurus Technologies Electric, Inc., Stefan Magnusson, Marta Magnusson, and Gilbert Denham Jr., claiming breach of the implied covenant of good faith and fair dealing, unjust enrichment, promissory estoppel, and fraudulent inducement and misrepresentation. *See generally* Compl., ECF No. 1. On February 19, 2025, the Honorable Sarah L. Cave directed Chalfin, pursuant to an order of reference, ECF No. 5, to show cause why the action should not be dismissed for lack of jurisdiction, ECF No. 6. After receiving Chalfin's response to the order to show cause, ECF No. 7, and carefully considering the issue, Judge Cave issued a report (the "R&R") recommending that the action be dismissed without prejudice for lack of subject matter jurisdiction, *see generally* R&R, ECF No. 8.

Although Judge Cave's R&R notified the parties of their right to object to the R&R, no objections were filed, and the time to do so has now passed. *See* R&R at 6; Fed. R. Civ. P. 72(b)(2). Because no objection was made, the Court reviews the R&R for clear error. *Santiago v. Colvin*, No. 12 Civ. 7052, 2014 WL 1092967, at *1 (S.D.N.Y. Mar. 17, 2014). The Court finds no clear error in Judge Cave's thorough and well-reasoned R&R.

Accordingly, the Court ADOPTS Judge Cave's R&R in its entirety. The complaint is DISMISSED without prejudice for lack of subject matter jurisdiction. In the event that Chalfin wishes to file an amended complaint that cures the deficiencies described in Judge Cave's R&R, the amended complaint, if any, must be filed within 21 days of the date of this order. If no amended complaint is filed within that time, the Court shall direct the Clerk of Court to close the case.

SO ORDERED.

Dated: March 26, 2025
New York, New York


ANALISA TORRES
United States District Judge